

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH R. KNAUSS

v.

KELLY L. BANACH, et al.

CIVIL ACTION

No. 11-3184

**FILED**

JUL 10 2013

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

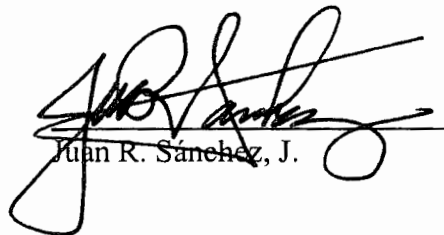
**ORDER**

AND NOW, this 9th day of July, 2013, upon careful and independent consideration of Petitioner Joseph R. Knauss's Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski, to which no objections have been filed,<sup>1</sup> it is ORDERED:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is DISMISSED with prejudice; and
3. There is no basis for the issuance of a certificate of appealability.

The Clerk of Court is directed to mark this case CLOSED.

BY THE COURT:



Juan R. Sanchez, J.

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<sup>1</sup> The Report and Recommendation was issued and mailed to the parties on April 4, 2013; however, the initial copy sent to Knauss was returned as undeliverable because Knauss no longer resides at the address noted in his petition. After this Court confirmed that Knauss had been imprisoned at Lehigh County Prison, where he is currently housed, the Clerk of Court, on or before May 20, 2013, resent a copy of the Report and Recommendation to Knauss at Lehigh County Prison. Pursuant to Local Civil Rule 72.1 IV(b), a party may object to a magistrate judge's report "within fourteen (14) days after being served with a copy thereof." As of today's date, no objections have been filed.